

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

NATIONSTAR MORTGAGE LLC,

Plaintiff,

v.

GIAVANNA HOMEOWNERS  
ASSOCIATION, *et al.*,

Defendants.

And Related Cross-Claims and  
Counterclaims.

Case No. 2:15-cv-01992-LDG (CWH)

**ORDER**

The plaintiff, Nationstar Mortgage LLC, and counter-defendant Bank of America, N.A. (collectively the Banks), filed a Demand for Security of Costs Pursuant to NRS 18.130(1) (ECF No. 21) against defendant/counter-plaintiff SFR Investments Pool 1, LLC. SFR Investments moves to strike the demand (ECF No. 29), which the Banks oppose (ECF No. 33).

Pursuant to NRS 18.130:

When a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded

1 against such plaintiff may be required by the defendant, by the filing and  
2 service on plaintiff of a written demand therefor within the time limited for  
answering the complaint.

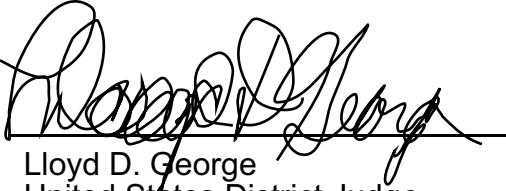
3 The Banks argue that SFR Investments Pool 1, LLC (which, in its complaint, Nationstar  
4 alleged was a Nevada limited liability company) is an out-of-state resident, because it is  
5 wholly owned by SFR Investments LLC, which is wholly owned by a Delaware limited  
6 liability company, which is wholly owned by a Canadian limited partnership whose partners  
7 are a Canadian corporation and a person domiciled in South Africa. Assuming that  
8 §18.130 applies to an entity who is brought into an action as a defendant, and then files a  
9 counterclaim in that action, the Banks have not established that SFR Investments Pool 1 is  
10 an entity that resides out of the State of Nevada. That SFR Investments Pool 1, LLC, may  
11 not be a citizen of Nevada does not establish that it is not a resident of Nevada for  
12 purposes of determining the application of §18.130.

13 Accordingly,

14 THE COURT **ORDERS** that SFR Investments Pool 1, LLC's Motion to Strike (ECF  
15 No. 29) is GRANTED;

16 THE COURT **ORDERS** that the Motion for Demand of Security of Costs (ECF No.  
17 21) is STRICKEN.

18  
19 DATED this 21 day of March, 2017.

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22 Lloyd D. George  
23 United States District Judge  
24  
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